

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON DC 20001-4413

In re Application of:
LANCASTER, PATRICK R. III et al
Serial No. 10/767,863
Filed: Jan. 30, 2004
Docket: 2906.0359-00
Title: METHOD AND APPARATUS FOR
SECURING A LOAD TO A PALLET
WITH A ROPED FILM WE

4/20/09
DECISION ON PETITION
UNDER 37 CFR § 1.1144

This is a decision on the petition filed August 30, 2005 under 37 CFR 1.181 requesting withdrawal of the restriction requirement of February 1, 2005 or modification of the restriction requirement by reducing to six sub-groups. This petition is being considered pursuant to 37 CFR § 1.144 and 37 CFR § 1.181, and no fee is required. The delay in answering this petition is regretted.

The petition is dismissed as moot.

A review of the prosecution history shows that the non-elected claims 1-48 and 58-118 were canceled in the amendment filed on September 30, 2005. After a long prosecution, pursuant to a telephone interview between the examiner and the applicant's attorney on March 9, 2009, the examiner finally allowed the amended elected claims 50, 53-55, 119-128, 139 and 141-155 and cancelled all non-elected claims along with other rejected claims as indicated in the examiner's amendment mailed March 31, 2009. Therefore, the propriety of the initial restriction requirement of February 1, 2005 becomes moot.

The application is being forwarded to the Office of Publications awaiting payment of issue fee. Any inquiry regarding this decision should be directed to Henry Yuen, Special Program Examiner, at (571) 272-4856.

PETITION DISMISSED AS MOOT.



Karen M. Young, Director
Technology Center 3700